

From: <Saved by Windows Internet Explorer 7>  
Subject: Electronic Code of Federal Regulations:  
Date: Thu, 22 Jul 2010 15:19:33 -0400  
MIME-Version: 1.0  
Content-Type: multipart/related;  
    type="text/html";  
    boundary="-----\_NextPart\_000\_0000\_01CB29B1.49AB1490"  
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2900.3664

This is a multi-part message in MIME format.

-----\_NextPart\_000\_0000\_01CB29B1.49AB1490  
Content-Type: text/html;  
    charset="iso-8859-1"  
Content-Transfer-Encoding: quoted-printable  
Content-Location: http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?  
c=ecfr;sid=91048d8beff552728d6aaa9026bac9e3;rgn=div5;view=text;node=36%3A1.0.1.1  
.25;idno=36;cc=ecfr

```
<!DOCTYPE HTML PUBLIC "-//W3C//DTD HTML 4.0 Transitional//EN">
<HTML><HEAD><TITLE>Electronic Code of Federal Regulations:</TITLE>
<META http-equiv=3DContent-Type content=3D"text/html; =
charset=3Diso-8859-1"><!-- InstanceBegin =
template=3D"/Templates/NEW_ecfr.dwt" codeOutsideHTMLIsLocked=3D"false" =
--><!-- #BeginEditable "doctitle" --><!-- #EndEditable -->
<META content=3D"text/html; charset=3Diso-8859-1" =
HTTP=3D'equiv=3D"Content-Type"'><LINK=20
href=3D"http://ecfr.gpoaccess.gov/e/ecfr/styles/styles.css" =
type=3Dtext/css=20
rel=3Dstylesheet><LINK media=3Dprint=20
href=3D"http://ecfr.gpoaccess.gov/e/ecfr/styles/print.css" =
type=3Dtext/css=20
rel=3Dstylesheet><!-- InstanceBeginEditable name=3D"head" --><!-- =
InstanceEndEditable -->
<STYLE>.white {
    PADDING-RIGHT: 0px; PADDING-LEFT: 0px; PADDING-BOTTOM: 0px; MARGIN: =
0px; COLOR: #ffffff; PADDING-TOP: 0px
}
</STYLE>

<SCRIPT>
<!-- Cloak code
function leapto(form)
{
var site=3Dform.dest.selectedIndex;

if (site>=3D1)

{ location=3Dform.dest.options[site].value; }

}
// Decloak -->
</SCRIPT>
<NOSCRIPT>
<META content=3D"MSHTML 6.00.6000.17063" name=3DGENERATOR></HEAD>
<BODY leftMargin=3D0 topMargin=3D0><A=20
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=3Decfr;sid=3D9104=
8d8beff552728d6aaa9026bac9e3;rgn=3Ddiv5;view=3Dtext;node=3D36%3A1.0.1.1.2=
5;idno=3D36;cc=3Decfr#content"><IMG=20
alt=3D"Skip to content." =
src=3D"http://www.gpoaccess.gov/images/spacer.gif"=20
border=3D0></A><A=20
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=3Decfr;sid=3D9104=
8d8beff552728d6aaa9026bac9e3;rgn=3Ddiv5;view=3Dtext;node=3D36%3A1.0.1.1.2=
```

```
5;idno=3D36;cc=3Decfr#links"><IMG=20
alt=3D"Skip to side navigation." =
src=3D"http://www.gpoaccess.gov/images/spacer.gif"=20
border=3D0></A> Quick Navigation:=20
<UL>
  <LI><A href=3D"http://www.gpoaccess.gov/topics/index.html" =
SELECTED>Resources by=20
  Topic</A>=20
  <LI><A href=3D"http://www.gpoaccess.gov/topics/business.html">Business =
&amp;=20
  Economy</A>=20
  <LI><A =
href=3D"http://www.gpoaccess.gov/topics/education.html">Education</A>=20
  <LI><A =
href=3D"http://www.gpoaccess.gov/topics/environment.html">Environment</A>=
=20

  <LI><A href=3D"http://www.gpoaccess.gov/topics/food.html">Food &amp; =
Drugs</A>=20
  <LI><A href=3D"http://www.gpoaccess.gov/topics/grants.html">Grants =
&amp;=20
  Awards</A>=20
  <LI><A href=3D"http://www.gpoaccess.gov/topics/health.html">Health =
&amp;=20
  Safety</A>=20
  <LI><A href=3D"http://www.gpoaccess.gov/topics/military.html">Military =
&amp;=20
  Security</A>=20
  <LI><A href=3D"http://www.gpoaccess.gov/topics/science.html">Science =
&amp;=20
  Technology</A>=20
  <LI><A href=3D"http://www.gpoaccess.gov/topics/programs.html">Social=20
  Programs</A>=20
  <LI><A=20
  =
href=3D"http://www.gpoaccess.gov/topics/transportation.html">Transportati=
on</A>=20
  </LI></UL></NOSCRIPT><!-- Beginning of top navigation. Do not modify. =
-->
<TABLE cellSpacing=3D0 cellPadding=3D0 width=3D"100%" border=3D0>
  <TBODY>
    <TR id=3Dtopnav><A=20
    =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=3Decfr;sid=3D9104=
8d8beff552728d6aaa9026bac9e3;rgn=3Ddiv5;view=3Dtext;node=3D36%3A1.0.1.1.2=
5;idno=3D36;cc=3Decfr#content"><IMG=20
  alt=3D"Skip to content." =
src=3D"http://www.gpoaccess.gov/images/spacer.gif"=20
  border=3D0></A><A=20
  =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=3Decfr;sid=3D9104=
8d8beff552728d6aaa9026bac9e3;rgn=3Ddiv5;view=3Dtext;node=3D36%3A1.0.1.1.2=
5;idno=3D36;cc=3Decfr#links"><IMG=20
  alt=3D"Skip to side navigation."=20
  src=3D"http://www.gpoaccess.gov/images/spacer.gif" =
border=3D0></A></TR>
  <TR>
    <TD id=3Dtopnav background=3Dhttp://www.gpoaccess.gov/images/bg.gif=20
    bgColor=3D#333399>
      <TABLE cellSpacing=3D0 cellPadding=3D0 width=3D700 border=3D0>
        <TBODY>
          <TR>
            <TD vAlign=3Dbottom bgColor=3D#ffffff rowSpan=3D2><A=20
            href=3D"http://www.gpoaccess.gov/"><IMG height=3D69=20
```

```
alt=3D"GPO Access Home Page."=20
src=3D"http://www.gpoaccess.gov/images/nav_01.gif" =
width=3D132=20
border=3D0></A></TD>
<TD>
<TABLE height=3D38 cellSpacing=3D0 cellPadding=3D2 =
width=3D568 border=3D0>
<TBODY>
<TR>
<FORM name=3DquickNav>
<TD vAlign=3Dbottom align=3Dleft bgColor=3D#ffffff =
colSpan=3D2=20
height=3D3><DIV align=3Dright><LABEL class=3Dwhite=20
for=3Dlabel_for_menu>Quick Navigation:</LABEL> <SELECT =
id=3Dlabel_for_menu=20
style=3D"FONT-SIZE: 9pt; MARGIN: 0px; WIDTH: 145px; =
FONT-FAMILY: Arial, Helvetica, sans-serif"=20
size=3D1 name=3DquickNavBar> <OPTION=20
value=3Dhttp://www.gpoaccess.gov/topics/index.html=20
selected>Resources by Topic</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/business.html>Business=20
&amp; Economy</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/education.html>Education</OPTION>=
=20
<OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/environment.html>Environment</OPT=
ION>=20
<OPTION =
value=3Dhttp://www.gpoaccess.gov/topics/food.html>Food=20
&amp; Drugs</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/grants.html>Grants=20
&amp; Awards</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/health.html>Health=20
&amp; Safety</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/military.html>Military=20
&amp; Security</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/science.html>Science=20
&amp; Technology</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/programs.html>Social=20
Programs</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/transportation.html>Transportatio=
n</OPTION></SELECT>=20
<A title=3D"Jump to selected topic."=20
=
href=3D"javascript:location=3Ddocument.quickNav.quickNavBar.options[docum=
ent.quickNav.quickNavBar.selectedIndex].value"><IMG=20
alt=3D"Jump to selected topic." hspace=3D0=20
src=3D"http://www.gpoaccess.gov/images/go.gif" =
align=3DabsBottom=20
border=3D0 VALUE=3D""></A></DIV></TD></FORM><A =
name=3Dsearch></A>
<FORM name=3Dquery=20
action=3Dhttp://www.firstgov.gov/fgsearch/index.jsp>
<TD vAlign=3Dbottom align=3Dmiddle width=3D70 =
```

```
bgColor=#ffffff>
<DIV class=search align=right><LABEL =
for=xmw>Site=
Search:</LABEL> <BR><A=
=
href="http://www.gpoaccess.gov/advancedsearch.html"><SPAN=
class=search>advanced</SPAN></A></DIV></TD>
<TD vAlign=bottom align=left width=151 =
bgColor=#ffffff>
<DIV align=right><INPUT id=xmw=
style="FONT-SIZE: 9pt; MARGIN: 0px; WIDTH: 110px; =
FONT-FAMILY: Arial, Helvetica, sans-serif"=
maxLength=50 align=absMiddle name=xmw> <INPUT=
onkeypress=document.query.submit();=
onclick=document.query.submit(); type=Image=
alt="Submit Search"=
src="http://www.gpoaccess.gov/images/go.gif" =
align=absMiddle=
border=0> <INPUT type=hidden value=0010 =
name=adv> <INPUT=
type=hidden value=10 name=nr> <INPUT =
type=hidden value=www=
name=db> <INPUT type=hidden value=0 name=fr> =
<INPUT=
type=hidden value=all name=mt> <INPUT =
type=hidden=
value=should name=ms> <INPUT type=hidden =
value=detailed=
name=de> <INPUT type=hidden value=domain =
name=pl> <INPUT=
type=hidden value="gpoaccess.gov, gpo.gov" =
name=domain>=
</DIV></TD></FORM></TR></TBODY></TABLE></TD></TR>
<TR>
<TD><IMG height=44 alt="Navigation Bar"=
src="http://www.gpoaccess.gov/images/nav_03.gif" =
width=568=
useMap=#Map =
border=0></TD></TR></TBODY></TABLE></TD></TR></TBODY></TABLE><MAP=
name=Map><AREA shape=POLY alt=About. =
coords=3D470,2,529,2,515,19,457,18=
href="http://www.gpoaccess.gov/about/index.html"><AREA shape=POLY =
alt=Help.=
coords=3D407,2,466,2,452,19,394,18=
href="http://www.gpoaccess.gov/help/index.html"><AREA=
title="A-Z Resource List." shape=RECT alt="A-Z Resource List."=
coords=3D1,23,121,43 =
href="http://www.gpoaccess.gov/databases.html"><AREA=
title="Locate a Federal Depository Library." shape=RECT=
alt="Locate a Federal Depository Library." coords=3D124,24,332,43=
href="http://www.gpoaccess.gov/libraries.html"><AREA title="Buy =
Publications."=
shape=RECT alt="Buy Publications." coords=3D335,22,444,43=
href="http://bookstore.gpo.gov/"><AREA title="Legislative. =
shape=RECT=
alt="Legislative. coords=3D0,1,115,21=
href="http://www.gpoaccess.gov/legislative.html"><AREA =
title="Executive.=
shape=RECT alt="Executive. coords=3D119,1,223,20=
href="http://www.gpoaccess.gov/executive.html"><AREA =
title="Judicial.=
shape=RECT alt="Judicial. coords=3D227,1,310,21=
href="http://www.gpoaccess.gov/judicial.html"></MAP><!--End of top =
navigation. -->
```

```

<TABLE cellSpacing=3D0 cellPadding=3D0 width=3D700 border=3D0>
  <TBODY>
    <TR>
      <TD id=3Dleftnav vAlign=3Dtop width=3D5 bgColor=3D#333399><IMG =
alt=3D" "=20
      src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/spacer.gif" =
width=3D5></TD>
      <TD id=3Dleftnav vAlign=3Dtop width=3D135 bgColor=3D#333399>
        <DIV align=3Dcenter><A name=3Dlinks></A><IMG height=3D122=20
alt=3D"National Archives and Records Administration logo."=20
src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/narablue.gif" =
width=3D120>=20
        </DIV><!-- #BeginLibraryItem "/library/leftnav.lbi" -->
        <TABLE cellSpacing=3D0 cellPadding=3D0 width=3D137 =
bgColor=3D#ffffff border=3D0>
          <TBODY>
            <TR vAlign=3Dtop align=3Dleft>
              <TD colSpan=3D2 height=3D12>
                <DIV align=3Dcenter><IMG height=3D16 alt=3D"Database =
Features."=20
                =
src=3D"http://ecfr.gpoaccess.gov/images/applicationfeatures.gif"=20
width=3D137></DIV></TD></TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD colSpan=3D2 height=3D5><IMG height=3D5 alt=3D" "=20
                =
src=3D"http://ecfr.gpoaccess.gov/images/spacer.gif"></TD></TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD class=3Dside width=3D13 height=3D2>
                  <DIV align=3Dcenter>=95</DIV></TD>
                <TD class=3Dside height=3D20><A=20
                =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D91048d8beff55=
2728d6aaa9026bac9e3&amp;c=3Decfr&amp;tpl=3D%2Findex.tpl">Browse</A></TD><=
/TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD class=3Dside height=3D2>
                  <DIV align=3Dcenter>=95</DIV></TD>
                <TD class=3Dside height=3D20><A=20
                =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D91048d8beff55=
2728d6aaa9026bac9e3&amp;c=3Decfr&amp;page=3Dsimple">Simple=20
Search </A></TD></TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD class=3Dside height=3D19>
                  <DIV align=3Dcenter>=95</DIV></TD>
                <TD class=3Dside height=3D19><FONT face=3D"Arial, Helvetica, =
sans-serif"=20
color=3D#000011>Advanced Search </FONT></TD></TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD class=3Dside height=3D2>
                  <DIV align=3Dcenter></DIV></TD>
                <TD class=3Dside height=3D20>*<A=20
                =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D91048d8beff55=
2728d6aaa9026bac9e3&amp;c=3Decfr&amp;page=3Dboolean">=20
Boolean</A></TD></TR>
              <TR align=3Dmiddle>
                <TD height=3D20>&nbsp;</TD>
                <TD class=3Dside align=3Dleft>*<A=20
                =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D91048d8beff55=
2728d6aaa9026bac9e3&amp;c=3Decfr&amp;page=3Dproximity">Proximity</A></TD>=
</TR>

```

```
<TR vAlign=3Dtop align=3Dleft>
  <TD class=3Dside align=3Dmiddle height=3D2>=95</TD>
  <TD class=3Dside height=3D20><A=20
    =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D91048d8beff55=
2728d6aaa9026bac9e3&c=3Decfr&page=3Dhistory">Search=20
  History</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside align=3Dmiddle height=3D2>=95</TD>
    <TD class=3Dside height=3D20><A=20
      =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D91048d8beff55=
2728d6aaa9026bac9e3&c=3Decfr&tpl=3Dsearch.tpl">Search=20
    Tips</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside height=3D2>
      <DIV align=3Dcenter>=95</DIV></TD>
    <TD class=3Dside height=3D20><A=20
      =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D91048d8beff55=
2728d6aaa9026bac9e3&c=3Decfr&tpl=3Dcorrectionspage.tpl">Correctio=
ns</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside height=3D2>
      <DIV align=3Dcenter>=95</DIV></TD>
    <TD class=3Dside height=3D20>
      <P><A=20
        =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D91048d8beff55=
2728d6aaa9026bac9e3&c=3Decfr&tpl=3Dupdate.tpl">Latest=20
      Updates</A></P></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside align=3Dmiddle height=3D2>=95</TD>
    <TD class=3Dside height=3D20><A=20
      =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D91048d8beff55=
2728d6aaa9026bac9e3&c=3Decfr&tpl=3Dabout.tpl">User=20
      Info</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside align=3Dmiddle height=3D2>=95</TD>
    <TD class=3Dside height=3D20><A=20
      =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D91048d8beff55=
2728d6aaa9026bac9e3&c=3Decfr&tpl=3Dfaq.tpl">FAQs</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside height=3D2>
      <DIV align=3Dcenter>=95</DIV></TD>
    <TD class=3Dside height=3D20><A=20
      =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D91048d8beff55=
2728d6aaa9026bac9e3&c=3Decfr&tpl=3D%2Fagencylist.tpl">Agency=20
      List</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside height=3D2>
      <DIV align=3Dcenter>=95</DIV></TD>
    <TD class=3Dside height=3D35><A=20
      =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D91048d8beff55=
2728d6aaa9026bac9e3&c=3Decfr&tpl=3Dibr.tpl">Incorporation=20
      by Reference</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside height=3D2>
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    <TD class=3Dside height=3D20><A=20
```

=  
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D91048d8beff55=2728d6aaa9026bac9e3&c=3Decfr&tpl=3D%2Findex.tpl">e-CFR=20  
Main Page</A></TD></TR>  
<TR vAlign=3Dtop align=3Dleft>  
<TD colspan=3D2 height=3D2><IMG height=3D16 alt=3D" "=20  
src=3D"http://ecfr.gpoaccess.gov/images/bottom.gif"=20  
width=3D137></TD></TR></TBODY></TABLE>  
<TABLE cellSpacing=3D0 cellPadding=3D0 width=3D137 =  
bgColor=3D#ffffff border=3D0>  
<TBODY>  
<TR vAlign=3Dtop align=3Dleft>  
<TD colspan=3D2 height=3D12>  
<DIV align=3Dcenter><IMG height=3D16 alt=3D"Related =  
Resources"=20  
src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/related.gif"=20  
width=3D137></DIV></TD></TR>  
<TR vAlign=3Dtop align=3Dleft>  
<TD colspan=3D2 height=3D5><IMG height=3D5 alt=3D" "=20  
=  
src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/spacer.gif"></TD></TR>  
<TR vAlign=3Dtop align=3Dleft>  
<TD class=3Dside width=3D13 height=3D2>  
<DIV align=3Dcenter>=95</DIV></TD>  
<TD class=3Dside height=3D35><A=20  
href=3D"http://www.gpoaccess.gov/cfr/index.html">Code of =  
Federal=20  
Regulations</A></TD></TR>  
<TR vAlign=3Dtop align=3Dleft>  
<TD class=3Dside height=3D2>  
<DIV align=3Dcenter>=95</DIV></TD>  
<TD class=3Dside height=3D20><A=20  
href=3D"http://www.gpoaccess.gov/fr/index.html">Federal=20  
Register</A></TD></TR>  
<TR vAlign=3Dtop align=3Dleft>  
<TD class=3Dside height=3D2>  
<DIV align=3Dcenter>=95</DIV></TD>  
<TD class=3Dside height=3D35><A=20  
href=3D"http://www.gpoaccess.gov/lsa/index.html">List of=20  
CFR<BR>Sections Affected</A></TD></TR>  
<TR vAlign=3Dtop align=3Dleft>  
<TD class=3Dside height=3D2>  
<DIV align=3Dcenter>=95</DIV></TD>  
<TD class=3Dside width=3D132 height=3D20><A=20  
=  
href=3D"http://www.regulations.gov/">Regulations.gov</A></TD></TR>  
<TR vAlign=3Dtop align=3Dleft>  
<TD class=3Dside height=3D2>  
<DIV align=3Dcenter>=95</DIV></TD>  
<TD class=3Dside width=3D132 height=3D20><A=20  
href=3D"http://www.gpoaccess.gov/ua/index.html">Unified=20  
Agenda</A></TD></TR>  
<TR vAlign=3Dtop align=3Dleft>  
<TD class=3Dside height=3D2>  
<DIV align=3Dcenter>=95</DIV></TD>  
<TD class=3Dside width=3D132 height=3D20><A=20  
href=3D"http://www.gpoaccess.gov/nara/index.html">All NARA=20  
Publications</A></TD></TR>  
<TR vAlign=3Dtop align=3Dleft>  
<TD colspan=3D2 height=3D2><IMG height=3D16 alt=3D" "=20  
src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/bottom.gif"=20  
width=3D137></TD></TR></TBODY></TABLE>  
<TABLE cellSpacing=3D0 cellPadding=3D0 width=3D137 =  
bgColor=3D#ffffff border=3D0>

```
<TBODY>
<TR vAlign=3Dtop align=3Dleft>
  <TD colSpan=3D3 height=3D12>
    <DIV align=3Dleft><IMG height=3D16 alt=3D"About Government." =
      src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/learn.gif"=20
      width=3D137></DIV></TD></TR>
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**Title 36: Parks, Forests, and Public Property**  
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**H5>PART 59-97 LAND AND WATER CONSERVATION FUND PROGRAM OF ASSISTANCE TO STATES; POST-COMPLETION COMPLIANCE RESPONSIBILITIES**

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**B>Section Contents**

[A7 59.1](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=Decfr;sid=3D9104=8d8beff552728d6aaa9026bac9e3;rgn=3Ddiv5;view=3Dtext;node=3D36%3A1.0.1.1.2=5;idno=3D36;cc=3Decfr#36:1.0.1.1.25.0.45.1) Applicability.

[A7 59.2](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=Decfr;sid=3D9104=8d8beff552728d6aaa9026bac9e3;rgn=3Ddiv5;view=3Dtext;node=3D36%3A1.0.1.1.2=5;idno=3D36;cc=3Decfr#36:1.0.1.1.25.0.45.2) Information collection.

[A7 59.3](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=Decfr;sid=3D9104=8d8beff552728d6aaa9026bac9e3;rgn=3Ddiv5;view=3Dtext;node=3D36%3A1.0.1.1.2=5;idno=3D36;cc=3Decfr#36:1.0.1.1.25.0.45.3) Conversion requirements.

[A7 59.4](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=Decfr;sid=3D9104=8d8beff552728d6aaa9026bac9e3;rgn=3Ddiv5;view=3Dtext;node=3D36%3A1.0.1.1.2=5;idno=3D36;cc=3Decfr#36:1.0.1.1.25.0.45.4) Residency requirements.

[A7 59.5-59.6](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=Decfr;sid=3D9104=8d8beff552728d6aaa9026bac9e3;rgn=3Ddiv5;view=3Dtext;node=3D36%3A1.0.1.1.2=5;idno=3D36;cc=3Decfr#36:1.0.1.1.25.0.45.5) [Reserved]

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**Authority:** Sec. 6, L&WCF Act of 1965 as amended; Pub. L. 88-96578; 78 Stat. 897; 16 U.S.C. 4601-964 *et seq.*

**Source:** 51 FR 34184, Sept. =



should=20  
the proposed conversion be implemented. Response is required in =  
order to=20  
obtain the benefit of Department of the Interior approval.</P><A=20  
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requirements.</H5></A><A=20  
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<P>(a) <I>Background and legal requirements. </I>Section 6(f)(3) =  
of the=20  
&WCF Act is the cornerstone of Federal compliance efforts to =  
ensure=20  
that the Federal investments in &WCF assistance are being =  
maintained=20  
in public outdoor recreation use. This section of the Act assures =  
that=20  
once an area has been funded with &WCF assistance, it is =  
continually=20  
maintained in public recreation use unless NPS approves =  
substitution=20  
property of reasonably equivalent usefulness and location and of =  
at least=20  
equal fair market value.</P>  
<P>(b) <I>Prerequisites for conversion approval. </I>Requests from =  
the=20  
project sponsor for permission to convert &WCF assisted =  
properties in=20  
whole or in part to other than public outdoor recreation uses must =  
be=20  
submitted by the State Liaison Officer to the appropriate NPS =  
Regional=20  
Director in writing. NPS will consider conversion requests if the=20  
following prerequisites have been met:</P>  
<P>(1) All practical alternatives to the proposed conversion have =  
been=20  
evaluated.</P>  
<P>(2) The fair market value of the property to be converted has =  
been=20  
established and the property proposed for substitution is of at =  
least=20  
equal fair market value as established by an approved appraisal =  
(prepared=20  
in accordance with uniform Federal appraisal standards) excluding =  
the=20  
value of structures or facilities that will not serve a recreation =  
purpose.</P>  
<P>(3) The property proposed for replacement is of reasonably =  
equivalent=20  
usefulness and location as that being converted. Dependent upon =  
the=20  
situation and at the discretion of the Regional Director, the =  
replacement=20  
property need not provide identical recreation experiences or be =  
located=20  
at the same site, provided it is in a reasonably equivalent =

location.=20

Generally, the replacement property should be administered by the =  
same=20

political jurisdiction as the converted property. NPS will =  
consider State=20

requests to change the project sponsor when it is determined that =  
a=20

different political jurisdiction can better carry out the =  
objectives of=20

the original project agreement. Equivalent usefulness and location =  
will be=20

determined based on the following criteria:</P>

<P>(i) Property to be converted must be evaluated in order to =  
determine=20

what recreation needs are being fulfilled by the facilities which =  
exist=20

and the types of outdoor recreation resources and opportunities =  
available.=20

The property being proposed for substitution must then be =  
evaluated in a=20

similar manner to determine if it will meet recreation needs which =  
are at=20

least like in magnitude and impact to the user community as the =  
converted=20

site. This criterion is applicable in the consideration of all =  
conversion=20

requests with the exception of those where wetlands are proposed =  
as=20

replacement property. Wetland areas and interests therein which =  
have been=20

identified in the wetlands provisions of the Statewide =  
Comprehensive=20

Outdoor Recreation Plan shall be considered to be of reasonably =  
equivalent=20

usefulness with the property proposed for conversion regardless of =  
the=20

nature of the property proposed for conversion.</P>

<P>(ii) Replacement property need not necessarily be directly =  
adjacent to=20

or close by the converted site. This policy provides the =  
administrative=20

flexibility to determine location recognizing that the property =  
should=20

meet existing public outdoor recreation needs. While generally =  
this will=20

involve the selection of a site serving the same community(ies) or =  
area as=20

the converted site, there may be exceptions. For example, if =  
property=20

being converted is in an area undergoing major demographic change =  
and the=20

area has no existing or anticipated future need for outdoor =  
recreation,=20

then the project sponsor should seek to locate the substitute area =  
in=20

another location within the jurisdiction. Should a local project =  
sponsor=20

be unable to replace converted property, the State would be =  
responsible,=20

as the primary recipient of Federal assistance, for assuring =  
compliance=20

with these regulations and the substitution of replacement =  
property.</P>

<P>(iii) The acquisition of one parcel of land may be used in =

satisfaction=20  
of several approved conversions.</P>  
<P>(4) The property proposed for substitution meets the =  
eligibility=20  
requirements for L&WCF assisted acquisition. The replacement =  
property=20  
must constitute or be part of a viable recreation area. Unless =  
<I>each=20  
</I>of the following additional conditions is met, land currently =  
in=20  
public ownership, including that which is owned by another public =  
agency,=20  
may not be used as replacement land for land acquired as part of =  
an=20  
L&WCF project:</P>  
<P>(i) The land was not acquired by the sponsor or selling agency =  
for=20  
recreation.</P>  
<P>(ii) The land has not been dedicated or managed for =  
recreational=20  
purposes while in public ownership.</P>  
<P>(iii) No Federal assistance was provided in the original =  
acquisition=20  
unless the assistance was provided under a program expressly =  
authorized to=20  
match or supplement L&WCF assistance.</P>  
<P>(iv) Where the project sponsor acquires the land from another =  
public=20  
agency, the selling agency must be required by law to receive =  
payment for=20  
the land so acquired.</P>  
<P>In the case of development projects for which the State match =  
was not=20  
derived from the cost of the purchase or value of a donation of =  
the land=20  
to be converted, but from the value of the development itself, =  
public land=20  
which has not been dedicated or managed for =  
recreation/conservation use=20  
may be used as replacement land even if this land is transferred =  
from one=20  
public agency to another without cost.</P>  
<P>(5) In the case of assisted sites which are partially rather =  
than=20  
wholly converted, the impact of the converted portion on the =  
remainder=20  
shall be considered. If such a conversion is approved, the =  
unconverted=20  
area must remain recreationally viable or be replaced as well.</P>  
<P>(6) All necessary coordination with other Federal agencies has =  
been=20  
satisfactorily accomplished including, for example, compliance =  
with=20  
section 4(f) of the Department of Transportation Act of 1966.</P>  
<P>(7) The guidelines for environmental evaluation have been=20  
satisfactorily completed and considered by NPS during its review =  
of the=20  
proposed 6(f)(3) action. In cases where the proposed conversion =  
arises=20  
from another Federal action, final review of the State's proposal =  
shall=20  
not occur until the NPS Regional office is assured that all =  
environmental=20  
review requirements related to that other action have been =

met.</P>

<P>(8) State intergovernmental clearinghouse review procedures =  
have been=20  
adhered to if the proposed conversion and substitution constitute=20  
significant changes to the original Land and Water Conservation =  
Fund=20  
project.</P>

<P>(9) The proposed conversion and substitution are in accord with =  
the=20  
Statewide Comprehensive Outdoor Recreation Plan (SCORP) and/or =  
equivalent=20  
recreation plans.</P>

<P>(c) <I>Amendments for conversion. </I>All conversions require=20  
amendments to the original project agreements. Therefore, =  
amendment=20  
requests should be submitted concurrently with conversion requests =  
or at=20  
such time as all details of the conversion have been worked out =  
with NPS.=20

Section 6(f)(3) project boundary maps shall be submitted with the=20  
amendment request to identify the changes to the original area =  
caused by=20  
the proposed conversion and to establish a new project area =  
pursuant to=20  
the substitution. Once the conversion has been approved, =  
replacement=20

property should be immediately acquired. Exceptions to this rule =  
would=20  
occur only when it is not possible for replacement property to be=20  
identified prior to the State's request for a conversion. In such =  
cases,=20  
an express commitment to satisfy section 6(f)(3) substitution =  
requirements=20

within a specified period, normally not to exceed one year =  
following=20  
conversion approval, must be received from the State. This =  
commitment will=20

be in the form of an amendment to the grant agreement.</P>  
<P>(d) <I>Obsolete facilities. </I>Recipients are not required to =  
continue=20

operation of a particular facility beyond its useful life. =  
However, when a=20  
facility is declared obsolete, the site must nonetheless be =  
maintained for=20  
public outdoor recreation following discontinuance of the assisted =  
facility. Failure to so maintain is considered to be a conversion. =

Requests regarding changes from a L&WCF funded facility to =  
another=20  
otherwise eligible facility at the same site that significantly =  
contravene=20  
the original plans for the area must be made in writing to the =  
Regional=20


Director. NPS approval must be obtained prior to the occurrence of =  
the=20  
change. NPS approval is not necessarily required, however, for =  
each and=20

every facility use change. Rather, a project area should be viewed =  
in the=20  
context of overall use and should be monitored in this context. A =  
change=20  
from a baseball field to a football field, for example, would not =  
require=20

NPS approval. A change from a swimming pool with substantial recreational development to a less intense area of limited development such as a passive park, or vice versa, would, however, require NPS review and approval. To assure that facility changes do not significantly contravene the original project agreement, NPS shall be notified by the State of all proposed changes in advance of their occurrence. A primary NPS consideration in the review of requests for changes in use will be the consistency of the proposal with the Statewide Comprehensive Outdoor Recreation Plan and/or equivalent recreation plans. Changes to other than public outdoor recreation use require NPS approval and the substitution of replacement land in accordance with section 6(f)(3) of the L&WCF Act and paragraphs (a) through (c) of this section.

[51 FR 34184, Sept. 25, 1986, as amended at 52 FR 22747, June 15, 1987]

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(a) *Background.* Section 6(f)(8) of the L&WCF Act prohibits discrimination on the basis of residence, including preferential reservation or membership systems, except to the extent that reasonable differences in admission and other fees may be maintained on such basis. This prohibition applies to both regularly scheduled and special events. The general provisions regarding non-discrimination at sites assisted under Interior programs and, thereby, all other recreation facilities managed by a project sponsor, are covered in 43 CFR part 17 which implements the provisions of Title VI of the Civil Rights Act of 1964 for the Department.

(b) *Policy.* There shall be no discrimination for L&WCF assisted programs and services on the basis of residence, except in reasonable fee differentials. Post-completion compliance responsibilities of the recipient should continue to ensure that discrimination on the basis of residency is not occurring.

(c) *Fees.* Fees charged to nonresidents cannot exceed =



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QcjMIVACN1ACOZiDSPgAHniFymwDJaCEIWBMN+ACE7ytoHxNoYzNHLzAUquut/FFWlyWp/zGXExK  
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ROMYDAFZjMKQCypQAL5QBDygAQYQBgFJBFxQBQMggTSYiDZ4BUNQhEUwgAcoAQwQBg+oA/80AAmQ  
C9M8BUUwg746TUp4AkWoBhGQCaJkLdeczVLbRaP5RKesrqf0gVwU0Q8c0WL4TeC0yuJcURbVi3iZ  
B+RcTjzEw3kIS7C0x0/M0YzSSEEMJYhkSIj0nR3Nyy0xyLv8gFAwhCjYAnRoA0SgA2HQyxYhSC2J  
ly2RCx5oAzBYBCKoABRayXjxmTHIBAPaOYLIGkFYBFUgg/8aaBb845I lqIMD6IGJcANZUNMyQID8  
PE3/PIMCGMwUWMUL3dA09cEevMAGZEoSHdEPLFERQFGqNJLdaFFKrdS5UM55cM5MzdSvLEvgKcuE  
3FFI3FFSZUHLVEiy/NQOCIVE8AMVKEgAGARc8AN50Ev1I0grjZM0CAULWAQ86IQCaIaSLEku+Ano  
+AMYaQNRqANvYIMCgIFz2AYimIMwWl8wBYBQCIM6YARndYHXGoJF8IQ8AAadjGMaiIVQ0PdTcPEpF  
JdESbdrfHNTfDE5LjRFFGMacXMZ83Vd97Vd+/Vd/DVIAHVlBLVlCPVidTViEXdhLZMFIKIZw4NQZ  
3dRSVEj/sKzRGk2HPGzIU/2d3wnP70xiA4GeP0ghAIerQIDCnAMILCFPCW2+XCDSLAgLuCCIzhw  
l4iTSBgCKbgFTjCAEogYoY2YiYgEIHDX07iESliCMcADA1gHmQizD3CDls2DcAAAIeCCTLI fMyCD  
+7TQDUVGdYXK3NRNRmVUEP0BtV1btm3bRi0GFpWgZWRyULVYU61bVl1bvcVbL9AIXIIEQfiET9gF  
wSVcwT1cxE1cxV1cxm1cx31cyI1cy21cy0VcwXvcUGCFJSCHiZ3Rr0wfeZjEGg3dGw1di9VY6AxP  
083D50yAaSiCPSiGLZAGYnAHbpDSYNdaPOBarj2DQyia/3cAAKohlDP4WRuIL28ixWXAm5uUCDcQ  
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bmRHfmQMLhBJ3oh0eUNL9pRLrkpnZmR0xmRP3uRP7mRQHmVRLuVQPmVSRmVTTmVWpsqRfZyqUixm  
YOGJVeFP/coX3LR0BU5dbuE00IQjiIJDGIVJ4ARMYAEKEIzGgFqXAIbGcAIrnl51GFrcqIpmBgBJ  
6IJOiAKvlQ5mno9s3mavdeY42IRO6AQagFqXCIceebTfjeMRHdFvdNcr8M0quueiUr2iwiucQgGXS  
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eSgGz11hdFiGLGZhfRZd5ER0Tt2GziAGNpAHdvdK5gzLteL0r8QbW1wGn6EDWziCTsgGbiaa0AmG  
LuAEcWCBHvAAA0iBSeiEI7CFAjibb0qfZHF0qI6ESRhhq56B00kCoa7qAkAWZPFF3ozfeJ7jD6zn  
cMhnuZ5rus5nWB7ZT+lovd5rvu5rv95riL6ISv5rwi5swz7svgZpWnbnopJl8PnKHvi+yF6GYoDR  
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I6CD/3Awyj8wh2KIA6rW7T0g6nAIBg9gbSTYgzKwBwtixUVd67U2QGhIAHTQZ3zebu3ubn8GnugD  
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Vun/DvDKZi0Ih3JA70EKB8cP9fJ3XpaLV0sqj99Dr65k+esyj74KqIB7gQAHUKoDSJxJpnN073Te  
WJAgF3K6PGzgzS28k74GRtoJTFft3bnVXf5sqp/BuhBLzhtRIlyoL4IAFIABi6JJ9XRgd3bfQBDC  
yG/Fqxvkt/aANnb1BgAcE3Zoj3bPA/JOUUQhP3ZLz3aMnNaKtMoCERlpD3dx97yJkAtixW5ux+QN  
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j3NffJ94ipcTBREU+yaQ4th4je/4+sb4ArmJeq94ki95kz95lE95lV95lm95l395mI95mZ95mq95  
m795nM95nd95nu95n/95oA96oR96oi96oz96pE96pV96pm96p/+NgAAA0w==

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Content-Type: image/gif

Content-Transfer-Encoding: base64

Content-Location: <http://ecfr.gpoaccess.gov/e/ecfr/graphics/ret-arrow-generic-grey.gif>

R0lGODlhEAAQALMAADMzM/Ly8oCAgExMTMzMzMzMzMzMZuXl5f///0BAQFLZWYyMjKamptnZ2QAA  
AAAAACH5BAUUAAGALAAAAAAQABAAAAQ7EMlJqw3HalTERkcCEN8kAIBSIg2KMqXhAkmwETPqaYIh  
AwNf5oMqrCTFIyJ5RAV9C2L08Fn4rLGLJQIA0w==

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Content-Type: image/gif

Content-Transfer-Encoding: base64

Content-Location: <http://www.gpoaccess.gov/images/bg.gif>

R0lGODlhGgBSAJEAMwzMzMzmf///wAAACH5BAAAAAALAAAAAAAFIAAAJXLI+py+0Po5y02ouz  
3rz7D4biSjBmiabqyrbuC8cJQNf2jef6zvF+DwwKh8Si8YhMKpfMpvMJrcLIgar1is1qt9yu9ws0  
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Content-Type: text/css;

charset="iso-8859-1"

Content-Transfer-Encoding: quoted-printable

Content-Location: <http://ecfr.gpoaccess.gov/e/ecfr/styles/styles.css>

```
.td {
    FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.tr {
    FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.h1 {
    FONT-WEIGHT: bold; FONT-SIZE: 16px; LINE-HEIGHT: 18pt; FONT-FAMILY: =
Arial, Helvetica, sans-serif; Arial:=20
}
.h2 {
    PADDING-RIGHT: 0px; PADDING-LEFT: 0px; FONT-WEIGHT: bold; FONT-SIZE: =
14px; MARGIN-BOTTOM: 0px; PADDING-BOTTOM: 0px; COLOR: #000000; =
LINE-HEIGHT: normal; PADDING-TOP: 0px; FONT-STYLE: normal; FONT-FAMILY: =
Arial, Helvetica, sans-serif
}
.h3 {
    FONT-WEIGHT: bold; FONT-SIZE: 12px; MARGIN-BOTTOM: 0px; LINE-HEIGHT: =
normal; FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.caption {
    FONT-WEIGHT: bold; FONT-SIZE: 12px; MARGIN-BOTTOM: 0px; LINE-HEIGHT: =
normal; FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.footer {
    BACKGROUND-POSITION: center 50%; FONT-SIZE: 10px; FONT-FAMILY: Arial, =
Helvetica, sans-serif; TEXT-ALIGN: center
}
.top {
    FONT-SIZE: 10px; FONT-FAMILY: Arial, Helvetica, sans-serif; TEXT-ALIGN: =
right
}
.tablespecing {
    PADDING-RIGHT: 5px; PADDING-LEFT: 5px; PADDING-BOTTOM: 5px; =
PADDING-TOP: 10px
}
```

```

.fontsmall {
    FONT-SIZE: 11px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.navigation {
    FONT-SIZE: 10px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.invisiblelink {
    FONT-SIZE: 10px; COLOR: #ffffff; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-DECORATION: none
}
A.menubar:link {
    COLOR: blue
}
A.menubar:visited {
    COLOR: purple
}
A.menubar:hover {
    COLOR: #cc3333
}
A.menubar:active {
    COLOR: purple
}
.toplogo {
    FONT-WEIGHT: bold; FONT-SIZE: 14px; MARGIN-BOTTOM: 0px; LINE-HEIGHT: =
normal; FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.search {
    FONT-SIZE: 10px; CLIP: ; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.side {
    FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.subparagraph {
    FONT-WEIGHT: normal; FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TOP: -5px
}
.head {
    FONT-WEIGHT: bolder; FONT-SIZE: 18px; FONT-FAMILY: Arial, Helvetica, =
sans-serif
}
.recentupdateslink {
    FONT-WEIGHT: bolder; FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-ALIGN: left
}
.updatetitle {
    FONT-WEIGHT: bold; FONT-SIZE: 14px; COLOR: #ff0000; TEXT-INDENT: 5pt; =
FONT-FAMILY: Arial, Helvetica, sans-serif; TEXT-ALIGN: left
}
.updatebodytest {
    BACKGROUND-POSITION: left 50%; FONT-WEIGHT: normal; FONT-SIZE: 12px; =
FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif; =
TEXT-ALIGN: left; FONT-VARIANT: normal
}
.updatebold {
    BACKGROUND-POSITION: left 50%; FONT-WEIGHT: bold; FONT-SIZE: 12px; =
FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif; =
TEXT-ALIGN: left
}
.body {
    COLOR: #000000; FONT-FAMILY: Arial, sans-serif; BACKGROUND-COLOR: =
#ffffff
}
.a {
    TEXT-DECORATION: underline
}

```

```

}
.a:link {
    COLOR: blue; BACKGROUND-COLOR: #ffffff
}
.a:visited {
    COLOR: red; BACKGROUND-COLOR: #ffffff
}
.a:active {
    COLOR: #ff0000; BACKGROUND-COLOR: #ffffff
}
.p {
    FONT-WEIGHT: normal; WIDTH: 474px; BACKGROUND-REPEAT: no-repeat; =
FONT-FAMILY: Arial, sans-serif; TEXT-ALIGN: center
}
.title {
    FONT-WEIGHT: bold; FONT-SIZE: 20px; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-ALIGN: left
}
.subtitle {
    FONT-WEIGHT: bold; FONT-SIZE: 14px; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-ALIGN: left
}
.mainheader {
    FONT-WEIGHT: bold; FONT-SIZE: 130%
}
.chapter {
    FONT-WEIGHT: bold; FONT-SIZE: 16px; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-ALIGN: left
}
.subchapter {
    FONT-WEIGHT: bold; FONT-SIZE: 14px; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-ALIGN: left
}
.part {
    FONT-WEIGHT: bold; FONT-SIZE: 100%
}
.subpart {
    FONT-SIZE: 90%; COLOR: blue; BACKGROUND-COLOR: #ffffff
}
.nopart {
    COLOR: green; BACKGROUND-COLOR: #ffffff
}
.reserved {
    COLOR: red; BACKGROUND-COLOR: #ffffff
}
.menu {
    FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.hilite {
    FONT-WEIGHT: bold; COLOR: #cc0000
}

```

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Content-Type: text/css;

charset="iso-8859-1"

Content-Transfer-Encoding: 7bit

Content-Location: http://ecfr.gpoaccess.gov/e/ecfr/styles/print.css

```

#topnav {
    DISPLAY: none
}
#leftnav {
    DISPLAY: none
}

```

```
.tablespacing {  
  PADDING-LEFT: 0px  
}
```

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